

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

A.G., a minor child, by and through)	
her mother and next of friend, K.C.,)	
<i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 2:05-cv-1090-MEF
)	
AUTAUGA COUNTY BOARD OF)	
EDUCATION, <i>et al.</i> ,)	
)	
Defendants.)	

B.H., a minor child by and through)	
his mother and next of friend, D.S.,)	
<i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 2:06-cv-393-MEF
)	
AUTAUGA COUNTY BOARD OF)	
EDUCATION, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This cause is before the Court on Plaintiffs' Motion for Dismissal of Defendant Terry Wright (Doc. # 143) filed on May 30, 2007. In this motion, Plaintiffs move pursuant to

Federal Rule of Civil Procedure 41(a) to dismiss the claims against Defendant Terry Wright.¹ By Order (Doc. # 145) entered on May 30, 2007, this Court directed Defendant Terry Wright to show cause as to why the Plaintiffs' motion should not be granted but no response was filed. Therefore, it is hereby ORDERED as follows:

(1) The Motion for Dismissal of Defendant Terry Wright (Doc. # 143) is GRANTED.

(2) All claims against Defendant Terry Wright are DISMISSED without prejudice and this defendant is dismissed from this cause of action.

It is further ORDERED that Plaintiffs claims, as set forth in their amended complaints, remain against Defendant Autauga County Board of Education pending the outcome of the *pro ami* fairness hearing.

DONE this the 12th day of June, 2007.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE

¹ While the Plaintiffs move pursuant to Rule 41(a)(1), Defendant Terry Wright filed an answer the Plaintiffs' original complaint. *See* Doc. # 6. Therefore, the Court will treat the Plaintiffs' instant motion as a motion pursuant to Rule 41(a)(2).